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ABSTRACT

This study investigated children's participation rights in two secondary and two primary schools in England, focusing on the child's right to express views freely in all matters affecting him or her, as indicated in the United Nations Convention on the Rights of the Child (CRC). Participating were students and staff at two primary and two secondary schools in both inner city and suburban locations. Data were collected by means of group interviews with 56 students--ages 9 to 13--and key personnel, and observations of the students' classes. Overall, the findings indicated that opportunities for children to express views freely in all matters affecting them were extremely limited. Where school councils were present, children were hampered by a lack of action and poor lines of communication. The primary school students had no formal mechanism for expressing their views, but the majority of the children demonstrated the ability to think seriously about complex issues. (Contains 24 references.) (KB)

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FELT TIP PENS AND SCHOOL COUNCILS: CHILDREN'S PARTICIPATION RIGHTS IN FOUR ENGLISH SCHOOLS

Paper presented at the American Educational Research Association Conference New Orleans April 2000

The remarkable early success of the UN Convention on the Rights of the Child (CRC) has more recently been followed by a realisation of the demanding challenges that are still to be faced. The monitoring and investigation of the impact of the CRC, particularly as it affects children in their daily lives, is a matter that is of current concern and one that must inform future strategy. The recognition of 'the limits of (human rights) law as a force for social change' (Alston, 1994: 21) also needs to be part of the critical framework that is brought to bear on research that investigates such impact.

Boyden (1997) clearly articulated that one of the most pressing challenges centres on children's participation. However, few national institutions or services have adopted a comprehensive approach to children's participation which impacts on children's lives 'in all matters affecting the child' (article 12). Franklin (1995: 10) suggested that the denial of children's rights to participation is perpetuated by views that form 'two interrelated strands. 1. Children are not capable of making reasoned and informed decisions; 2. Children lack the wisdom born of experience and are prone to make mistakes'.

Stuart Hart's (1996) significant on-going cross-national study on children's participation revealed some interesting tentative early findings. The children who were surveyed had lower expectations for the support of their rights in school settings. In addition they felt that protection and development rights were better supported than advocacy by adults, self-determination and participation rights. Like Hart's there are a significant number of studies using survey methodology in order to determine the nature of children's participation rights, however, there are limitations with these methods. R Hart (1992: 18) in the course of his advocacy of children's participation as 'child-initiated, shared decisions with adults' argued that most social science research with children was of the adult-controlled type with 'questionnaires and structured interviews which barely scrape the surface of what children are able to tell', a view shared by Morrow and Richards (1996) who suggested that there were few studies based on children's accounts of their everyday lives.

The education system in England has come under sustained attack from the children's rights lobby, but in spite of this it appears to continue to repeat the mistakes that haunt its past. Franklin and Franklin (1996) condemned the education system because any discussion of participation rights is confined to those of parents not children. Jeff's (1995) analysis cited the compulsion element of British schooling as a fundamental obstacle to future progress. Mayall (1994) concluded like Stuart Hart that children's experiences at home are more negotiable than their experiences at school.

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Within the discipline of education the curriculum is often a dominant factor in relation to children and their needs. Some researchers have sought children's views about their education but the rationale for this has usually been curriculum enhancement rather than as an explicit recognition of their rights. In the light of much recent emphasis in the USA and the UK on school improvement and school effectiveness, the contribution of researchers like Ruddock (1996) ensured that the children's views of the curriculum and aspects of their schooling are heard. These voices also occasionally surface through studies of disaffection and attitudes to school. For example Keys et al (1995), once again using survey methods, found that 29% of children asked to respond to the statement 'most of the time I don't want to go to school' either agreed or strongly agreed, although this did not correlate with the positively worded statement where only 7% of children indicated negative feelings.

The research to be reported in this paper investigated the realisation of children's participation rights as evident in two secondary and two primary schools. In particular it focussed on *the right to express views freely in all matters affecting the child* (UN CRC, Article 12). The research developed theory grounded on the accounts from children, teachers, headteachers and observations of children's lessons.

Methods

The belief that much research in the area had been based on survey methodology and statistical analysis resulted in the work being centred in the qualitative paradigm. The aim to develop theoretical perspectives in the research led to the decision to adopt 'Grounded Theory' (Glaser and Strauss, 1967).

Data analysis was computer assisted by the WINMAX Pro (Kuckartz, 1996) package. This supported the inductive development of codes and categories: all data was transcribed and allocated to one or more categories. The categories included: participation, discipline, interaction, national influences, definitions of rights, and curriculum activities. A decision was made to focus on participation, and consistent with the grounded theory methodology the processes of 'axial' coding, and 'discriminate' and 'variational sampling' progressively focused the reporting narrative.

The study involved two researchers working closely with two primary and two secondary schools. The schools were taken from the North West of England and contrasted inner city with sub-urban environments. To limit the numbers of children the emphasis was on the 9 to 11 age range in the primary schools and year 8 (age 13) in the secondary schools. In each school one child was selected by a teacher and these children then selected the other children who were to be participants in the research. In total the researchers worked closely with 56 children and observed many more.

Evidence was collected through taped and transcribed - progressively structured - interviews with groups of children who were met three times during six days devoted to each school. Observations of classes that the children took part in were recorded as field notes and provided the opportunity to examine the relationship between this data and the interviews. Interviews were also carried out with key personnel including head-teachers, student council members and prefects.

As with any research project a number of methodological issues arose during the course of the research. One of the central issues concerned our interaction with the groups of children during the group interviews. Various conflicting theoretical positions influenced our approach. For example the potential problems with leading questions had to be balanced with the necessity to engage the children in meaningful and interesting dialogue. The children's lack of knowledge about certain aspects of their rights also resulted in the researchers offering essential bits of information in order to sustain meaningful dialogue. The researchers differing personal opinions and those of the children often resulted in useful discussion where playing 'devil's advocate' was used as a strategy to clarify the children's opinions. The opportunity to interview the same groups of children on three different occasions also supported this clarification. The emerging discovery that the children's participation rights were neglected also prompted the more proactive strategy of asking the children what they would change if they had the power. We were conscious that this was perhaps becoming the seeds of a participatory (Rahman, 1993) approach and ultimately even critical (Freire, 1974).

As Alderson (1995) pointed out there are a number of settings where children's views are not routinely sought and this can have ethical implications for social researchers. Our access to the schools and children was mediated initially through headteachers and teachers who asked children to take part. The decision to encourage the children to select the members of their group for interview underlined our desire to ensure full consent. All the children were informed of the aims of the research at the first interview. Confidentiality was assured and all names used in the reporting are fictional. It was difficult to assess whether there were any children who did not feel that they could easily withdraw from the research, however, the children's own strong opinion that the opportunity to discuss their rights was beneficial was a reassurance. When asked how they found the experience one of the children - whose view was indicative - said "It's better because you can't always tell the teacher what you don't like about the school..." Reflecting on Morrow and Richards' (1995) ethical suggestions our standpoint was that the children that we were to interview would offer a range of competencies similar in many ways to an adult sample.

Findings

Participation in the secondary schools: school councils

Overall, the research found that children's rights to participate in matters affecting their education were subject to repeated denial. Meaningful participation is clearly difficult if you are not sufficiently aware of your rights. The requirement to inform children and adults about the CRC itself (article 42) was not being adopted in the schools. On completion of the data collection the headteacher from one of the primary schools was the only person from all the children and teachers that we met who was aware of the convention. However, when asked to define what rights were, most of the children articulated significant principles: "What children think they should do; What children want; People should ask children what they want; Adults should ask instead of adults getting their own way; Have the responsibility to go where the mums don't want them to go; Save children on their own." The issues such as the potential conflict between children's rights and adult's responsibilities; differentiating between mother's and children's rights, and an emphases on protection rights came through in the children's statements. An assembly at one of the primary schools illustrated how discussion of rights could emphasise protection of children. During the assembly the headteacher reminded the

children that they had talked about rights in the past by referring to the 'stranger danger' work that they had done.

To illustrate in more detail the denial of participation rights it is instructive to consider the use the schools made of school councils. The use of school councils is fairly well established in secondary schools in England but less so in primary schools. These can offer a major tool for ensuring that children's participation rights are recognised. The two primary schools in the research did not have school councils. The two secondary schools did.

At Graysham secondary the children agreed that a school council was a good idea "if it worked, but it wouldn't always work". The use of future tense here was interesting in view of the fact that we had been told that the council was still operational. It was also explained that the process of gathering information for the form representatives was inadequate: "we're put on the spot, we don't get time to think about what we're going to say or make notes, we just get told."

The head girl at Graysham articulated with clarity some of the reasons for the school council not being effective. She felt that although it had not been deliberately disbanded it had been neglected. One of the main obstacles to the effective working was that "they [the teachers] need to listen to what people say. They have our views but they don't listen to them." It was agreed that the fact that the council secured some lockers was a good thing but that the locker issue was relatively unimportant. There was a perception that most issues raised by the school council members resulted in a lack of action combined with a lack of communication over the reasons for this lack of action.

In addition to the school councils both secondary schools also had a prefect system with a head boy and girl. As it became clear that the children thought that the schools councils were not working we wondered if the head boy and girl might offer a useful means of communicating the children's wishes.

> R: Do you think the head boy and girl, because they're pupils the same as you, do you think they could be useful for you in helping to express your views, is that how it might work?
> C: We used to .....when we used to go to him every week, he used to write everything down and give it to Mr Norden and Mr Norden passed it on to Mr Coole but he never does anything like that, the only thing he's done is lockers, which everyone knew we were getting anyway.
> R: So if you don't feel that the head boy and girl can help you, what's the answer then, because they're like the head boy and girl aren't they, if they can't be advocates for you - do you know what an advocate is? Someone who speaks on your behalf, somebody that takes your side of the argument and puts it forward to someone else.
> C: I don't think it's really their fault, I think it's Mr Norden, he doesn't do anything about it.
> C: We were asking about our class....., we wanted to change it but he hasn't got back to us.

The reasons that the children articulated were reinforced by the views of the headteachers. At Graysham any notion that the boundaries between child and adult might be problematic were clinically dispatched: 'Children are children: adults are adults. Children are different...We

'love' the children in a way but we are in control. As they get older they get more responsibility. They have rights and responsibilities.' The head at Railton also conceptualised rights with their corresponding responsibilities and like the head at Graysham emphasised the responsibilities. He felt that rights on their own could cause confrontation and felt that in the recent past the pendulum had swung too far in favour of rights: 'A right is an idea which has to be balanced; counterweights - I am in the middle ground'.

> *Ideally there should be an audit of what happens but schools have been asked to do colossal amounts - almost like everything the church used to do schools now have to do. We are not as cohesive as we used to be. This rights thing does not bring about citizenship. Nobody should use the term 'right' until the next [this] millennium.*

Participation in the primary schools: Children's views of their education.

The primary schools had no formal mechanisms for eliciting the views of the children. This presented something of a dilemma as the objectives of the research were to investigate the realisation of children's participation rights in the educational settings. The minimal evidence of opportunities to participate resulted in us adopting participatory strategies by asking the primary children about their views of their education.

When asked about the changes they would like to make, the children at Illingworth Primary School had particularly strong views about how they were treated by the teachers and particularly how they were spoken to. Such strength of feeling was not evident to the same extent in the other schools although the issue of treatment by teachers was raised by most of the children we interviewed.

The quality of teaching remains a nationally controversial issue in the UK. At a national and a local level it is one that requires sensitivity. However, if children are to participate fully in their education then their opinions on the effectiveness of their teachers and their education are fundamental. There was no evidence that children were consulted in any way in relation to their views about the quality of their teaching. Related to this during individual lessons we saw no attempts by teachers to encourage students to evaluate the quality of the activities. The recognition of the social complexities of commenting on the teachers was expressed by one of the children when asked how they found the experience of being interviewed by people from outside the school. "We can express our feelings to other people. We can say something about the teachers and the teachers aren't getting hurt, so if they don't hear it they won't shout at us." This further underlines the need for formal objective school participation structures and raises the possibility of external support for such work.

At Illingworth primary school the children contextualised the quality of teaching particularly in the way that they were spoken to by the staff. One of the group described a situation where he had been in trouble and the head had phoned his mother. When talking to his mother on the phone the head had used a 'nice voice' but as soon as she had finished on the phone she started shouting. To many adults this would simply be explained by saying that the head was annoyed with the child not the adult hence the harsh tone for the child. At another level it could be argued that the political implications for headteachers of sustaining relationships with parents, and the general acceptance that it is OK to shout at children give a sense of legitimacy to such

an exchange. Yet the child clearly felt particularly aggrieved by the tone of the voice and the differing treatment more than the disapproval of inappropriate behaviour.

Throughout the research we felt a tension between wanting to take the views of the children seriously while being appropriately cautious about their claims. Given an opportunity to offer views in a group situation many people will express negative feelings which obviously may offer a one-sided picture. Direct evidence of classrooms revealed a range of positive interaction that at times contradicted the views of the children about the way they were spoken to. Direct evidence to support the children's claims about their treatment tended to arise outside of the teaching sessions that we had been invited to observe. The fact that the unanimity of strength of feeling expressed at Illingworth school was not reflected in the other schools that we worked in enabled us to further theorise the nature of such responses.

At St John's Primary School although overall the children were less negative about their treatment by their teachers they also had strong views particularly about shouting. Our observation of one of the teachers in two different contexts and the children's reflections on the episode enriched the perspective of treatment by the teachers. The first context was an observation of a special needs group of six children that the teacher was working with. Here there was a relaxed atmosphere with shared laughter and the children showing pleasure and motivation. The second context was a subsequent visit where the same teacher was teaching the full year six class because a colleague had gone to a funeral. The following scene describes the second context and draws heavily on the field notes.

Dominic joins the class and notices that they are doing a test from 'Concise First Aid in English'. This is like an IQ test, initially, with sets of words where the children have to spot the 'odd one out'. These are followed by different kinds of questions.
Teacher (T): What are people from Australia called?
Child (C): Australians
C: Shurrup
T: People from Belgium?
C: Bells! (*much laughter from the children*)
T: People who come from Japan?
C: Japs! (*laughter*)
C: Gypsies.
Dominic feels uncomfortable with the derogatory comments from the children. There is considerable disruption.
T: (*Raising her voice.)* Shall we stop?!
Occasional whistles from the children.

Following the observation the opportunity to discuss the session with the teacher arose as we were talking about general educational issues. The teacher explained that she felt that it was difficult to develop discipline with "a class of this sort, without the chance to get to know them and build a relationship." At a subsequent interview with the children this particular teaching session came up in the conversation.

R: You know that note, did you hear about the note that went round. That caused lots of arguments. What was that all about?
C1: You know that boy who sits in front, Mark Jenkins stinks of Sh...
R: That's what the note said?

C1: Yeah. And it was (inaudible) who wrote it.
C2: It wasn't his writing. It was Kevin Impy.
R: It seemed to me that there were quite a lot of children getting up out of their seats, not doing their work, stuff like that. What do you think of that? Is that what you thought was happening?
C1: Yeah, too many people wandering round, but if Mrs Lipton was there, we wouldn't be doing that.
R: So why does it not happen when Mrs Lipton's there.
C2: Because Mrs Lipton's not there, they think they can do anything they want and because Mrs Lipton always shouts, but Mrs Island.....
R: OK, good. Now let me ask you. You don't like Mrs Lipton shouting, you don't think the teachers should shout at you do you?
C3: She should shout but not if you're not doing anything wrong.
R: OK, so you do think she should shout sometimes. Do you mean shout?
C4: No, just tell us off.
R: Firmly.
C4: Yeah, could you stop doing that or something like that.
R: But the other teacher today didn't shout at all.
C1: No, she's kind. She's got these stars and if you get a black star you have to stay in for detention and if you get a gold star you get.....
R: Well my problem is you want teachers to be kind, but also you want the children to behave. So I'm struggling - how's it going to work? How do you get both?
C1: Mrs Lipton says, if you be nice to me I'll be nice back, and if you don't shout I won't shout at you. If you're good she'll be nice to you, but if you're mean to her or anything, she'll get a right cob on and shout at you.

The children quickly identified, as the teacher had, that the fact that their regular teacher was not there had an impact on the behaviour of the class. There was more disagreement than at Illingworth about whether shouting was appropriate and towards the end of this the children reached a consensus that if people broke the rules there would be sanctions. The session that we observed was characterised by some of the children exhibiting what would be deemed disruptive behaviour and this caused us to reflect on the extent that the behaviour might be as Jeffs (1986) suggested 'a consequence of denial of rights' *or* the children not maintaining their responsibilities.

With some of the children at St John's there was a distinct feeling of powerlessness: "When Miss starts shouting at me I feel like running off, but I can't." A view that we held, that remained inconclusive, was the possibility that some of the children were so used to being shouted at that they saw this as 'natural'. This may have resulted in the opinion that "if they don't shout at you you'll just do what you want." The final statement by one of the children made us question the extent to which the children and adults had the same rights: "Mrs Lipton says, if you be nice to me I'll be nice back, and if you don't shout I won't shout at you. If you're good she'll be nice to you, but if you're mean to her or anything, she'll get a right cob on and shout at you". The dependence of fair treatment on a condition rather than as a right was an issue that had also been raised at the secondary schools.

Summary of main findings

- The opportunities for the children in the study to *express views freely in all matters affecting the child* were extremely limited.
- Where school councils were present they were hampered by a lack of action and poor lines of communication.
- The primary school children had no formal mechanisms for expressing their views but the majority of children we interviewed demonstrated the ability to think seriously about complex issues.

Discussion

Hart's (1992: 10) 'ladder' which suggests a model for 'eight levels of young people's participation' can be combined with two other perspectives to theorise the evidence we found on children's participation in the four schools. The participation that we recorded can best be assigned as 'tokenism' on hart's ladder where 'children are apparently given a voice, but in fact have little or no choice about the subject or the style of communicating it, and little or no opportunity to formulate their own opinions.' This was combined with an emphasis on the products of the curriculum, rather than an emphasis on the processes in the school which could be improved to facilitate participation and democratic involvement. Tokenism and the emphasis on products were underpinned by a final perspective: the first of Franklin's (1995) strands - outlined at the beginning - suggesting children's incapacity to make decisions.

The headteacher at Railton secondary contextualised children's rights within citizenship, and as Flekkoy and Kaufman (1997) point out this link has a strong historic tradition. When thinking about the implications for the findings of the present study the notion of citizenship is an important one. The UK government recently commissioned a report into the place of citizenship in the curriculum (Qualifications and Curriculum Authority (QCA), 1998). This represented an opportunity to strengthen the place of children's rights. However the detail of the final report leads us to conclude that the proposals for citizenship will do little to improve the rights of the children we worked with in the four schools. The main emphasis of the report was to put forward recommendations on the statutory curriculum for citizenship with the aim of developing active citizenship. Our view of active citizens would be those who are fully informed of their rights and who have the capability to ensure that their rights are respected. The notion of rights is not a strong feature of the UK citizenship proposals and the emphasis is firmly on learning outcomes, however there are suggestions that school processes are important.

> *Also it is obvious that all formal preparation for citizenship in adult life can be helped or hindered by the ethos and organisation of a school, whether pupils are given opportunities for exercising responsibilities and initiatives or not; and whether they are consulted realistically on matters where their opinions can prove relevant both to the efficient running of a school and to their general motivation for learning. In some schools these are already common practices, while in others absent or only occasional.*
> (QCA, 1998: 25)

The report suggested that the committee did consider making school councils part of the statutory order but fear of 'overburdening schools and teachers' resulted in this not being adopted. Although as we found in the research the presence of a school council is no guarantee

of enhanced rights the reasons for not including such structures within the statutory order seem inadequate. It is possible that much less emphasis on the statutory curriculum and more emphasis on the school processes that might enhance children's rights would have been a desirable outcome. The fears over workload are closely related to problems with national curriculum development in England since 1988.

The lack of participation that we found in the four schools has been mirrored nationally in recent intense work on curriculum development. The consultation on the latest version of the National Curriculum is now complete and will be implemented from September 2000. This was preceded by the introduction of the national literacy and numeracy strategies. The National Curriculum now includes a stronger statutory responsibility for schools to teach 'citizenship' yet genuine participation and involvement of children in the curriculum development has been almost non-existent. QCA, the quango who were leading the National Curriculum developments, invited the MORI (1998) organisation to survey the opinions of five interested parties in relation to their views of the national curriculum. The position of the views of the 20 children - who were involved in the 'focus' groups - at the end of the report and the weak methodology seemed an inadequate way to claim meaningful involvement of British children in national developments. The document also missed the opportunity to illicit children's (or adults') views on some fundamental questions, for example: Is a national curriculum necessary? Should the focus of such a curriculum be dominated by maths, English, science and information technology? Is the prescribed pedagogy of the literacy hour the best way to support learning needs? Do you think the increasing number of standard assessment tasks is a good thing? Do you think it is right that you are expected to do more homework? etc.

The common negative response to suggestions that children might usefully think about such questions is often based on Franklin's (1995) capability strand. However, there are examples of other countries where children's participation has a much stronger footing in society. Boyden (1997) and Wyse and Hawtin (2000) offer examples from developing countries and Kisser (1996) provides information about the participation of children in Austrian schools that is a startling contrast with the UK. In Austria children have a legal right to representation right up to parliamentary level in relation to decisions made about the education system. The extensive system of representation results in children, teachers and guardians being able to make autonomous decisions with regard to the curriculum. Austrian historical tradition has resulted in recognition that without statutory support for participation 'pupils [become] aware of their de facto marginal influence on school-life and [lose] their interest in participation' (Kisser, 1996: 410)

Unless the UK takes steps to dramatically enhance children's participation in their education the goal of active citizenship will remain illusive. We will probably see children continue to resist through micropolitical action (Spaulding, 1997), through direct resistance as has historically been the case (Franklin and Franklin, 1996), possibly supported by more teachers' subversive use of critical pedagogy (Searle, 1998). All of which will be necessary if, as in the words of one of the children in our research, children's participation is not to be so restricted that "the most choice we ever get is which felt pen to use."

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